

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable Herbert I. Levy, Associate Justice; Honorable Gene M. Gomes, Associate Justice; and Leisa V. Biggers, Clerk/Administrator, by Rosemary Heredia, Assistant Deputy Clerk.

F049379 Sofranek v. Merced County et al.

Cause called and argued by Louis D. Silver, Esq., counsel for appellant and by James N. Fincher, Deputy County Counsel, counsel for respondent.

Cause ordered submitted.

Court recessed until Friday, January 12, 2007 at 1:30 P.M.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable James A. Ardaiz, Presiding Justice; Honorable Herbert I. Levy, Associate Justice; Honorable Gene M. Gomes, Associate Justice; and Leisa V. Biggers, Clerk/Administrator, by Shandra Santana, Deputy Clerk.

F048806 Department of Corrections v. California State Personnel Board et al.

Cause called and argued by Wendell J. Llopis, Esq., counsel for real parties in interest and appellants and by Wendi Ross, Esq., counsel for respondent Department of Corrections. Dorothy Backsai Egel, Esq., counsel for respondent California State Personnel Board did not appear.

Cause ordered submitted.

At this point Ardaiz, P.J. directs Vartabedian, Acting P.J. to act as Presiding Justice in his absence and leaves the bench with Gomes, J.; they are replaced by Vartabedian, Acting P.J. and Cornell, J.

F047738 People v. Yang et al.

Cause called and argued by Robert K. Gezi, Deputy Attorney General, counsel for appellant and by Kyle Gee, Esq., counsel for respondent Voua Yang and by Jerome P. Wallingford, Esq., counsel for respondent Nhia Yang and by Cara DeVito, Esq., counsel for respondent Nua Moua.

Cause ordered submitted.

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The court adjourns.

F051492 Powell et al. v. Merck & Co., Inc. et al.

Appellant having failed to perform the acts necessary to procure the record after the clerk of the trial court issued notice pursuant to the provisions of rule 8.140(b)(1), California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F049231 Ochoa et al. v. Fordel, Inc., et al.

The September 13, 2005, order denying the motion to disqualify is affirmed. Plaintiffs shall recover their costs on appeal. Vartabedian, Acting P.J.

We concur: Levy, J.; Gomes, J.

[CERTIFIED FOR PARTIAL PUBLICATION]

F049679 In re William W., a Minor

The disposition order committing William W. to CYA is reversed, and the matter is remanded to the juvenile court for a new disposition hearing to determine an appropriate local disposition. Vartabedian, Acting P.J.

We concur: Levy, J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F049453 Boussard v. Fuller

The order denying Raymond's motion is affirmed. Sandra shall recover her costs on appeal. Dawson, J.

We concur: Harris, Acting P.J.; Kane, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F049235 People v. Medina

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

IN THE

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F051289 Church v. The Superior Court Of Fresno County; Wilcox, Hokokian & Jackson

Let a peremptory writ of mandate issue directing the Fresno County Superior Court to vacate its order of April 30, 2003, in Fresno County Superior Court action No. 02 CECG01437, which sustained the defendant's general demurrer without leave to amend on the fourth and fifth causes of action and ruled the special demurrers to the fourth and fifth cause of action moot, and enter a new order overruling the general demurrer as to each cause of action.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F049176 People v. Le

The judgment of conviction is affirmed. Dawson, J.

We concur: Harris, Acting P.J.; Kane, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F050246 In re Juan A., a Minor

The above-entitled case is submitted for decision.

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F050246 In re Juan A., a Minor

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F049017 People v. Salinas

The judgment is affirmed. Wiseman, J.

We concur: Vartabedian, Acting P.J.; Gomes, J.

[CERTIFIED FOR PARTIAL PUBLICATION]

**F050117 Friends of the Sierra Railroad v. Tuolumne Park and Recreation District;
Tuolumne Band of Me-Wuk Indians**

The judgment is affirmed. Wiseman, J.

We concur: Vartabedian, Acting P.J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]